

AN ORDINANCE **97790**

SELECTING MAESTAS & BAILEY, INC. TO PROVIDE PROFESSIONAL ENGINEERING SERVICES IN CONNECTION WITH THE BRANIFF FROM TURBO TO U.S. 281 PROJECT, LOCATED IN COUNCIL DISTRICT 9; AUTHORIZING THE NEGOTIATION AND EXECUTION OF A PROFESSIONAL SERVICES CONTRACT IN AN AMOUNT NOT TO EXCEED \$73,111.97; AUTHORIZING \$7,311.20 FOR ENGINEERING CONTINGENCY EXPENSES, FOR AN OVERALL TOTAL AMOUNT OF \$80,423.17 FROM 2001 CERTIFICATES OF OBLIGATION; APPROPRIATING FUNDS; AND PROVIDING FOR PAYMENT.

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WHEREAS, Maestas & Bailey, Inc. submitted a proposal to provide the necessary professional engineering services in connection with the Braniff from Turbo to U.S. 281 Project; and

WHEREAS, this contract provides for engineering services to include design and construction administration for the reconstruction of Braniff to include a drainage system on Braniff, Rendezvous and Turbo Drive; and

WHEREAS, this ordinance authorizes an amount not to exceed \$73,111.97 to Maestas & Bailey, Inc. and \$7,311.20 for miscellaneous engineering contingency expenses; and

WHEREAS, it is now necessary to authorize the selection of said firm, authorize the negotiation of a professional services contract and provide for payment of said contract, as well as payment for contingency expenses; and

WHEREAS, approval of this ordinance will be a continuation of City policy to complete previously approved 1994 General Obligation Drainage Bond funded Capital Improvement Projects, **NOW THEREFORE;**

BE IT ORDAINED BY THE CITY COUNCIL OF THE CITY OF SAN ANTONIO:

SECTION 1. Maestas & Bailey, Inc. is hereby selected to provide professional engineering services in connection with the Braniff from Turbo to U.S. 281 Project. A copy of the proposal is attached hereto as **Attachment I.**

SECTION 2. City staff is authorized and directed to commence negotiations with said firm to reach an agreement on a contract for such work at a fair and reasonable price not to exceed \$73,111.97.

SECTION 3. If a contract can be negotiated in accordance with the terms of the standard form contract for engineering services, and in accordance with the price provisions contained herein, the City Manager, Deputy City Manager, an Assistant City Manager, or an Assistant to the City Manager is authorized to execute such an agreement without further City Council action. A copy of such standard form contract appears in substantially the same form as **Attachment II** and is

incorporated by reference herein. Should a contract be negotiated which varies from the standard terms, the contract must be considered through a subsequent ordinance. If so, City Council must approve the contract terms and insure that the compensation provided meets the legal requirements set out in Section 2254.004 of the Texas Government Code.

SECTION 4. The budget in Fund No. 43-161095, 2001 Drainage Improvements, shall be revised by reducing Index Code 695718, entitled "Unallocated Appropriations: Proceeds", by the amount of \$80,423.17.

SECTION 5. The amount of \$73,111.97 is appropriated in Fund No. 43-161007, 2001 Drainage Improvements, in Index Code 772749, entitled "Engineering Contract", and is authorized to be encumbered and made payable to **Maestas & Bailey, Inc.** for engineering services in connection with the Braniff-Turbo to U.S. 281 Project.

SECTION 6. The amount of \$7,311.20 is appropriated in Fund No. 43-161007, 2001 Drainage Improvements, in Index Code 772756, entitled "Engineering Contingency", and is authorized to be encumbered and made payable for engineering contingency expenses in connection with the Braniff-Turbo to U.S. 281 Project.

SECTION 7. The financial allocations in this Ordinance are subject to approval by the Director of Finance, City of San Antonio. The Director may, subject to concurrence by the City Manager or the City Manager's designee, correct allocation to specific Index Codes and Fund Numbers as necessary to carry out the purpose of this Ordinance.

SECTION 8. This ordinance shall take effect on the 29th day of June 2003.

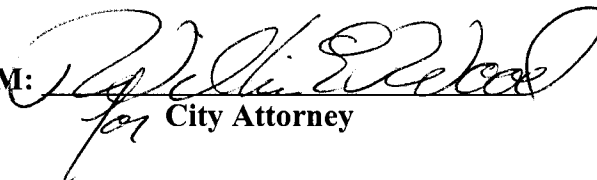
PASSED AND APPROVED this 19th day of June, 2003.



M A Y O R
EDWARD D. GARZA

ATTEST: 
City Clerk

APPROVED AS TO FORM:


for City Attorney